

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CASA DE ALABANZA and
JONESBORO COMMERCIAL
CENTER, LLC,

Plaintiffs,

v.

CITY OF JONESBORO, GEORGIA,
HON. JOY B. DAY, Mayor, and
TRACEY MESSICK, BOBBY LESTER,
BILLY POWELL, DR. DONYA L.
SARTOR, PH.D., PAT SEBO, and ED
WISE, individually and in their
Official Capacities as Mayor and
Councilmembers of the City of
Jonesboro, Georgia

Defendants.

CIVIL ACTION FILE NO.

1:20-cv-04997-LMM

CONSENT ORDER

The Parties have agreed to resolve the present case and, in furtherance thereof, consent to entry of the following Order:

On December 13, 2021, the parties executed a Settlement Agreement. Pursuant to this Agreement, Plaintiff Jonesboro Commercial Center, LLC, its successors and/or assigns will submit an application for a conditional use permit

and/or a change of zoning conditions in connection with property located at 7815-7857 Old Morrow Road.

So long as the city acts consistently with the executed Settlement Agreement and upon receipt by Plaintiffs of the consideration agreed to in connection with the settlement of this case, Plaintiffs agree to dismiss the current action, with prejudice, with each party to pay their own fees and costs.

IT IS SO ORDERED this _____ day of _____, 2022.

The Honorable Leigh Martin May
United States District Court Judge

Consented to:

Attorney for Plaintiffs

/s/ Newton M. Galloway
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CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing **CONSENT ORDER** by filing the same with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to all counsel of record in this action.

This 10th day of January, 2022.

/s/ Alex Joseph
Alex Joseph
Georgia Bar No. 590921
Attorney for Defendants

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